

**Crl.O.P.No.12197 of 2023****WEB COPY V.LAKSHMINARAYANAN,J.**

The petitioners who apprehend arrest for the alleged offences under Sections 498 (A), 506 (i) of IPC and 4 of Dowry Prohibition Act in Crime No.8 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners demanded dowry from the defacto complainant and harassed her. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the first petitioner is the husband, 2nd and 3rd petitioners are the in-laws of the defacto complainant and a false case has been foisted against the petitioners due to family dispute. He further sought permission of this Court to withdraw the petition insofar as the 1st petitioner is concerned and prayed for grant of anticipatory bail to the 2nd and 3rd petitioners are concerned.



4. The learned Government Advocate (Crl.Side) submitted that

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the petitioners who are the husband and in-laws of the defacto complainant, had demanded a Royal Enfield Bullet Bike as dowry from the defacto complainant and harassed her. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side).

6. In view of the submission made by the learned counsel for the petitioners, this Criminal Original Petition is dismissed as withdrawn insofar as the 1st petitioner is concerned.

7. As far as the 2nd and 3rd petitioners are concerned, this Court is inclined to grant anticipatory bail to them with certain conditions.

8. Accordingly, the 2nd and 3rd petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a



copy of this order, before the learned *XIII Metropolitan Magistrate*

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Court, Egmore on condition that the second and third petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each** with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the second and third petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the second petitioner shall report before the respondent police as and when required for interrogation.

(c) the third petitioner shall report before the respondent police daily morning at 10.30 a.m. for a period of four (4) weeks and thereafter, as and when required for interrogation;

(d) the second and third petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the second and third petitioners shall not abscond either during investigation or trial;



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(f) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the second and third petitioners released on anticipatory bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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To

1.The XIII Metropolitan Magistrate Court,
Egmore.

2.The Public Prosecutor
Madras High Court
Chennai – 600 104.

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